

## MINUTES OF COUNCIL STUDY MEETING – AUGUST 12, 2008

-1-

THE CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, AUGUST 12, 2008, AT 4:30 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

### THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt  
Russ Brooks  
Carolynn Burt  
Joel Coleman (Arrived as noted)  
Corey Rushton  
Steve Vincent  
Mike Winder

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

### STAFF PRESENT:

Paul Isaac, Assistant City Manager  
Kevin Astill, Parks and Recreation Director  
Richard Catten, City Attorney  
Joseph Moore, CED Director  
Layne Morris, Community Preservation Director  
John Evans, Fire Chief  
Buzz Nielsen, Police Chief  
Jim Welch, Finance Director  
Dan Johnson, Acting Public Works Director  
Aaron Crim, Administration  
Craig Thomas, Administration  
Ralph Lee, CED Department  
Nevin Limburg, CED Department  
Steve Pastorik, CED Department  
Brent Garlick, CED Department  
Frank Lilly, CED Department  
Shane Smith, CED Department  
Phil Markham, Public Works Department  
Jake Arslanian, Public Works Department

### 1. COMMUNICATIONS

Mayor Nordfelt stated State Senator Howard Stephenson was in attendance at the meeting and therefore item 9.C. (Other Communications) would be moved up on the Agenda.

## MINUTES OF COUNCIL STUDY MEETING – AUGUST 12, 2008

-2-

After introduction, Senator Stephenson discussed background information regarding judgment levy, truth in taxation hearing requirements, and other matters. He indicated he spoke on behalf of the Utah Taxpayers Association stating they would understand if the Council decided to adopt or impose a judgment levy. He also clarified a specific section in the Utah Code regarding the judgment levy and stated if imposed this year, it would not affect the certified tax rate next year. Senator Stephenson answered questions from members of the City Council and the City Manager.

Councilmember Coleman arrived at the meeting at 4:43 P.M.

Additional discussion ensued regarding the budget and judgment levy in anticipation of the public hearing to be at the Regular Council Meeting scheduled later this night.

### 2. **APPROVAL OF MINUTES OF STUDY MEETING HELD JULY 15, 2008**

The City Council read and considered the Minutes of the Study Meeting held July 15, 2008. There were no changes, corrections and deletions.

After discussion, Councilmember Brooks moved to approve the Minutes of the Study Meeting held July 15, 2008, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

### 3. **PRESENTATION, MINH KIEU AND MICHAEL YANG, MVM COMPANY – JORDAN RIVER MARKET PLACE PROPOSAL**

City Manager, Wayne Pyle, advised that an RFP (Request for Proposal) had been sent out regarding the Jordan River Market Place and only two proposals had been received. Mr. Pyle also reminded the Council had requested presentations from the top two finalists.

Mr. Pyle directed Ralph Lee, CED Department, to review the RFP process. Mr. Lee provided an overview of the project and the RFP process.

Mr. Lee introduced representatives of MVM Company, Minh Kieu and Michael Yang. Michael Yang thanked the City Council for the opportunity to participate in the RFP

## MINUTES OF COUNCIL STUDY MEETING – AUGUST 12, 2008

-3-

process and submit a proposal. Copies of the presentation and proposal were distributed to members of the City Council.

Utilizing PowerPoint, Michael Yang discussed their proposal, summarized as follows:

- Site view
- Vision and goal
- Phases 1 and 2 development goals and concept plan
- Site plan and flexible elevation choices
- Retail/office component
- Benefits to West Valley City
- Project investment for Phase 1: \$14 million/construction costs and \$1 million extra expenses
- Sales and property tax revenue projections
- Proposed development team and photographs of past projects
- Commitment from MVM LLC

During the above presentation, Mr. Yang answered questions from members of the City Council.

City Council members commented, summarized as follows: would like more than two cultures (Chinese and Mexican) to be represented; would like to see plan that was more “walkable;” would like to see buildings that looked more cultural than southwest as presented; desired mixed use (retail on ground floor/living space above) component to be considered; if this project was done well, it would truly be multicultural and could “define the City;” suggested some sort of attraction or ride (train or boat) be incorporated into the proposed project to make it more of a destination place.

Mr. Yang expressed appreciation for the opportunity to address the Council and expressed hope of a partnership with the City on the subject project.

The City Council expressed appreciation for the presentation and information provided.

#### 4. **REVIEW AGENDA FOR REGULAR MEETING OF AUGUST 12, 2008**

City Manager, Wayne Pyle, stated two new items had been added to the Agenda for the Regular Council Meeting scheduled August 12, 2008, at 6:30 P.M. Mr. Pyle discussed the new items and other items, as follows:

##### **Item No. 6.A. – EMPLOYEE OF THE MONTH AWARD, JULY, 2008 – PHIL MARKHAM, PUBLIC WORKS DEPARTMENT**

City Manager, Wayne Pyle, stated Councilmember Rushton would read the nomination of Phil Markham, Public Works Department, to receive the Employee of the Month

## MINUTES OF COUNCIL STUDY MEETING – AUGUST 12, 2008

-4-

Award for July 2008, at the Regular Council Meeting scheduled August 12, 2008, at 6:30 P.M.

### **Item No. 6. B. – SAMOAN HERITAGE BOARD OF UTAH**

City Manager, Wayne Pyle, stated Councilmember Burt had requested a presentation by the Samoan Heritage Board of Utah be scheduled on the referenced agenda. He advised the Board desired to take the opportunity to thank the City for supporting their recent event. Councilmember Burt stated the Board would also present a token of appreciation to the Mayor.

### **Item No. 10. A. – APPLICATION NO. PUD-6-2007, FILED BY EDMISTON HOMES, REQUESTING FINAL PLAT APPROVAL FOR CHESTERFIELD COTTAGES LOCATED AT 1545 WEST 2320 SOUTH (*CONTINUED FROM REGULAR MEETING HELD JULY 22, 2008*)**

City Manager, Wayne Pyle, reminded the Council regarding the reasons Application No. PUD-6-2007, filed by Edmiston Homes, had been continued from the Regular Council Meeting held July 22, 2008. Mr. Pyle stated the subject Application requested final plat approval for Chesterfield Cottages located at 1545 West 2320 South.

Mr. Pyle directed CED Director, Joseph Moore, to report regarding staff's meeting with the applicant/developer. Mr. Moore reported regarding the meeting and also stated the property had recently been sold to a new developer.

City Manager, Wayne Pyle, advised the Council's options would be to deny, continue indefinitely or, if tabled, it would have to start anew in the process with a new fee. CED Director, Joseph Moore, also advised the new developer would probably make another proposal for development of the subject property.

Upon inquiry, there were no further questions regarding items on the Agenda for the Regular Council Meeting scheduled August 12, 2008, at 6:30 P.M.

## **5. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED AUGUST 19, 2008:**

### **A. PROCLAMATION DECLARING AUGUST 20, 2008, AS "HONOR PEACE DAY" IN WEST VALLEY CITY**

City Manager, Wayne Pyle, stated Councilmember Burt would read a Proclamation declaring August 20, 2008, as "Honor Peace Day" in West Valley City, at the Regular Council Meeting scheduled August 19, 2008.

## **6. PUBLIC HEARINGS SCHEDULED AUGUST 19, 2008:**

### **A. PUBLIC HEARING, APPLICATION NO. ZT-8-2008, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT AMENDMENT TO THE CONDITIONAL USE ORDINANCE, CHAPTER 7-7 OF THE WEST VALLEY CITY MUNICIPAL CODE**

## MINUTES OF COUNCIL STUDY MEETING – AUGUST 12, 2008

-5-

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled August 19, 2008, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. ZT-8-2008, filed by West Valley City, requesting a zone text amendment to the Conditional Use Ordinance, Chapter 7-7 of the West Valley City Municipal Code. He discussed proposed Ordinance No. 08-38 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

### **ORDINANCE NO. 08-38, AN ORDINANCE AMENDING CHAPTER 7-7 OF TITLE 7 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING CONDITIONAL USES**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 08-38 which would amend Chapter 7-7 of Title 7 of the West Valley City Municipal Code regarding conditional uses.

Mr. Pyle stated in order to comply with State law it had become necessary to amend the subject ordinance.

CED Director, Joseph Moore, further reviewed the Application and proposed Ordinance and answered questions from members of the City Council.

The City Council will hold a public hearing and consider proposed Ordinance No. 08-38 at the Regular Council Meeting scheduled August 19, 2008, at 6:30 P.M.

### **6. RESOLUTION NO. 08-220, APPROVE AGREEMENT WITH JENSEN & KEDDINGTON, P.C. TO PROVIDE AUDITING SERVICES TO WEST VALLEY CITY**

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-220 which would approve an Agreement with Jensen & Keddington, P.C. in the amount of \$74,160.00 to provide auditing services to West Valley City.

Mr. Pyle stated the City was required by law to engage an independent audit firm to audit the City's financial operations. He further stated Jensen & Keddington auditors had demonstrated experience and proficiency in municipal audits and knowledge of City operations. He stated the audit would be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained the Government Auditing Standards, issued by the Comptroller General of the United States.

City Manager, Wayne Pyle, further discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-220 at the Regular Council Meeting scheduled August 19, 2008, at 6:30 P.M.

**MINUTES OF COUNCIL STUDY MEETING – AUGUST 12, 2008**

**-6-**

**7. RESOLUTION NO. 08-221, AUTHORIZE CITY TO PURCHASE DIVIDER PANELS FROM ALDER SALES CORP. FOR USE IN THE GALLERY AT THE UTAH CULTURAL CELEBRATION CENTER**

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-221 which would authorize the City to purchase divider panels from Alder Sales Corp. in an amount not to exceed \$87,334.00 for use in the gallery at the Utah Cultural Celebration Center.

Mr. Pyle stated the existing gallery did not have the capability of various formats for gallery settings. He also stated in order to provide different setups, divider panels were essential to make the gallery more versatile. He indicated the divider panels could also make the gallery accessible to the patio which was now blocked by the permanent wall.

The City Manager reported bids had been solicited through advertisement and three companies submitted the following: 1) Alder Sales Corp.: \$87,334.00; 2) B & B Specialties: \$127,960.00; 3) Pioneer Specialties: No Bid.

Jake Arslanian, Public Works Department, further discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-221 at the Regular Council Meeting scheduled August 19, 2008, at 6:30 P.M.

**8. RESOLUTION NO. 08-222, ACCEPT A WARRANTY DEED FROM 2264 SOUTH TECHNOLOGY DRIVE, LLC FOR PROPERTY LOCATED AT 2274 SOUTH TECHNOLOGY DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-222 which would accept a Warranty Deed from 2264 South Technology Drive, LLC, for property located at 2274 South Technology Drive.

Mr. Pyle stated LLC was the owner of the property for the new Ace Disposal site. He indicated Ace Disposal was relocating its operations to a new 9.45-acre site. As a condition of approval, dedication of additional right-of-way on Technology Drive was required. He stated the current 50-foot right-of-way (25-foot half width) did not include sidewalk. He stated to accommodate the required five foot wide sidewalk on the west side of Technology Drive, dedication of additional right-of-way had been required as condition of approval for a building permit.

City Manager, Wayne Pyle, further discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-222 at the Regular Council Meeting scheduled August 19, 2008, at 6:30 P.M.

## MINUTES OF COUNCIL STUDY MEETING – AUGUST 12, 2008

-7-

9. **RESOLUTION NO. 08-223, APPROVE DEVELOPMENT AGREEMENT WITH FLORENTINO A. LOPEZ FOR APPROXIMATELY 0.24 ACRES OF REAL PROPERTY BEING DEVELOPED IN THE VICINITY OF 5187 WEST 3500 SOUTH (APPLICATION NO. GPZ-2-2008)**

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-223 which would approve a Development Agreement with Florentino A. Lopez for approximately 0.24 acres of real property being developed in the vicinity of 5187 West 3500 South.

Mr. Pyle stated that on May 27, 2008, the Council approved a General Plan/zone change (Application GPZ-2-2008) which changed the zoning from 'A' (Agriculture) to 'RB' (Residential Business) at the subject property location. He indicated the applicant intended to convert the existing home on the property to an insurance office. He advised that as part of the motion for approval, the Council required the zone change be contingent on approval of a development agreement.

The City Manager indicated after reviewing the minutes of the public hearing, it seemed the primary concern to be addressed in the development agreement was the fencing along the south and east sides of the property. He indicated the proposed development agreement required a six-foot tall fence be installed along the south and east sides of the property. The material of the fence must be concrete, masonry, or trex.

Steve Pastorik, CED Department, further discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-223 at the Regular Council Meeting scheduled August 19, 2008, at 6:30 P.M.

10. **COMMUNICATIONS:**

A. **GENERAL PLAN DISCUSSION – INTRODUCTION, ADMINISTRATION AND ANNEXATION**

Mayor Nordfelt suggested discussion of the General Plan be moved to a future meeting date due to time constraints and the need to start the Regular Council Meeting on time for the scheduled public hearing regarding the budget. City Recorder, Sheri McKendrick, was directed to reschedule this item to the next Study Meeting scheduled for August 19, 2008.

B. **COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: July 10 thru August 20, 2008: The Face of Utah Sculpture IV Exhibit, UCCC; August 15-16, 2008: Belly Dancing Festival, UCCC; August 16, 2008: West Valley Walking Tour 2008 – Night Walk at West Ridge Golf Course, 10:00 P.M.; August 18, 2008: Neighborhood Nights: Family Safety Fair, Family Fitness Center, 5:00 P.M. – 7:00 P.M.; August 18, 2008: WorldStage! Concert Series – Native Spirit

## MINUTES OF COUNCIL STUDY MEETING – AUGUST 12, 2008

-8-

with Nino Reyos and Friends, UCCC, 8:00 P.M.; August 19, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; August 23, 2008: Movie in the Park, Centennial Park, BBQ and Games at 7:30 P.M. and Movie at Dark; August 25, 2008: WorldStage! Concert Series – Jazz on the Jordan featuring Salt City Saints, World Class Combo and Swingn’Jive, UCCC, 8:00 P.M.; August 26, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; August 28, 2008: ChamberWest General Membership Meeting – Speaker: Sen. Bob Bennett, E-Center, 11:45 A.M.; September 1, 2008: Labor Day Holiday – City Hall closed; September 2, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 4, 2008: Salt Lake County Council of Government’s General Assembly – Panel Discussion on Funding Option for Mountain View Corridor & Joint Meeting with County Council, UCCC, 6:00 P.M.; September 9, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 10-12, 2008: ULCT Annual Conference, Salt Lake City; September 11 thru November 12, 2008: Warp Meets Weft Textile Exhibit, UCCC; September 16, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 20, 2008: West Valley Walking Tour 2008 at Decker Lake Trail, 8:00 A.M.; September 20, 2008: Chilean Independence Day, UCCC; September 23, 2008: Council Study Meeting 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 27, 2008: Worldwide Day of Play, Fitness Center; October 7, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 11, 2008: West Valley Walking Tour 2008 – Hunter Village and Sugar Plum Trails, 8:00 A.M.; October 14, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 15, 2008: Lake Park Golf Social, Stonebridge Golf Course, 8:00 A.M.; October 17-18, 2008: Tahitian Fete, UCCC; October 20-31, 2008: Early Voting at City Hall, Multi-Purpose Room, 12 Noon – 7:00 P.M. (October 31, 2008 – 11:00 A.M. – 6:00 P.M.); October 21, 2008: Council Study Meeting, 4:30 P.M. at Harman Home Senior Center, Regular Council Meeting, 6:30 P.M.; October 28, 2008: Council Study Meeting, 4:30 P.M. at UCCC, Regular Council Meeting 6:30 P.M.; November 1, 2008: Utah Folk Arts Celebration and Day of the Dead Fiesta, UCCC; November 4, 2008: General Election, Polls Open 7:00 A.M. – 8:00 P.M.; November 4, 2008: Council Study Meeting, 4:30 P.M. at UCCC, Regular Council Meeting, 6:30 P.M.; November 11, 2008: Veteran’s Day Holiday – City Hall closed; November 18, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 22, 2008: Turkey Trot 5k Run/Walk at Centennial Park; November 22, 2008: Winter Ethnic Arts Market, UCCC; November 25, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 27, 2008: Thanksgiving Holiday – City Hall closed; December 1 thru January 6, 2009: Trees of Diversity Exhibit, UCCC; December 1, 2008: Walk with Santa at Centennial Park, 6:00 P.M.; December 2, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 8, 2008: Winter Concert, UCCC; December 9, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 16, 2008: Council Study



## MINUTES OF COUNCIL STUDY MEETING – AUGUST 12, 2008

-9-

Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; and December 24 & 25, 2008: Christmas Holiday – City Hall closed.

### 11. **COUNCIL REPORTS:**

#### A. **MAYOR DENNIS NORDFELT – NATIVE AMERICAN POWWOW AT GRANGER PARK**

Mayor Nordfelt discussed the upcoming Native American Powwow to be held at Granger Park. He stated the committee desired members of the Council to attend to welcome attendees at the event. Mayor Nordfelt also distributed passes for that event.

#### B. **COUNCILMEMBER COREY RUSHTON – UTA BOARD DECISION REGARDING NAMING OF TRAX/MAX STATIONS AND GRAFFITI REMEDIES**

Councilmember Rushton discussed a recent UTA board decision regarding naming of Trax/Max stations.

Councilmember Rushton indicated he had been contacted by two Salt Lake County sheriff deputies who expressed concern regarding certain types of graffiti and inquired regarding how West Valley City handled that problem. He requested information regarding graffiti be provided at a future Study Meeting.

#### C. **COUNCILMEMBER CAROLYNN BURT – COG MEETING REGARDING MOUNTAIN VIEW CORRIDOR**

Councilmember Burt reported regarding a recent Association of COG (Council of Governments) meeting at which Barbara Thomas reported the Mountain View Corridor would be built similar to Bangerter Highway. Mayor Nordfelt provided clarification and additional details regarding the Mountain View Corridor.

#### D. **MAYOR DENNIS NORDFELT – PROPOSED AMENDMENTS TO REGIONAL TRANSPORTATION PLAN**

Mayor Nordfelt distributed written information and discussed proposed amendments to the Regional Transportation Plan. He indicated certain amendments to the plan had just finished the public comment period and would now go to the Wasatch Front Regional Council for finalization and approval. He also distributed copies of proposed amendments and stated those would now be available for public comment.

Mayor Nordfelt distributed a copy of a resolution approved by the Salt Lake County Council of Governments (COG) regarding the water quality stewardship plan and invited the Council to give him their comments.

**MINUTES OF COUNCIL STUDY MEETING – AUGUST 12, 2008**

**-10-**

**E. COUNCILMEMBER RUSS BROOKS – NATIONAL NIGHT OUT AGAINST CRIME EVENTS AND WEEDS**

Councilmember Brooks thanked members of staff for their efforts in coordinating many excellent and well attended National Night Out Against Crime events throughout the City.

Councilmember Brooks stated in some areas of the City weeds were becoming an issue and should be addressed to prevent fire hazards.

Councilmember Coleman stated he had not received any feedback during the National Night Out events regarding violations and ordinance enforcement efforts. He indicated that he had received suggestions from citizens regarding ordinances that needed to be implemented.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, AUGUST 12, 2008, WAS ADJOURNED AT 6:20 P.M., BY MAYOR NORDFELT.

I hereby certify that the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, August 12, 2008.

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Sheri McKendrick, MMC  
City Recorder